

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA

v.

JOSE HERNANDEZ-VASQUEZ,

Defendant.

No. 4:17-CR-00175

(Judge Brann)

ORDER

AUGUST 7, 2018

In accordance with the accompanying Memorandum Opinion, **IT IS
HEREBY ORDERED** that:

1. The United States' motion to involuntarily medicate Jose Hernandez-Vasquez, ECF No. 39, is **GRANTED**.
2. Mr. Hernandez-Vasquez is committed to the custody of the Attorney General for a period of six months pursuant to 18 U.S.C. § 4241(d)(2).
3. The United States Medical Center for Federal Prisoners at Springfield, Missouri ("USMCFP-Springfield"), is directed to commence the involuntary medication of Mr. Hernandez-Vasquez in accordance with the April 3, 2018 Proposed Treatment Plan of Dr. Robert Sarrazin, as that plan was outlined by Dr. Sarrazin and Dr. Lea Ann Preston Baecht at the April 26, 2018 hearing. Before the involuntary medication of Mr.

Hernandez-Vasquez commences, however, USMCFP-Springfield must first attempt to obtain Mr. Hernandez-Vasquez's voluntary participation with any treatment. USMCFP-Springfield is additionally authorized to involuntarily perform any physical and laboratory assessments and monitoring which are clinically indicated in order to monitor for medication side effects, if Mr. Hernandez-Vasquez refuses to consent to any of those procedures.

4. During this period of commitment and medication, USMCFP-Springfield shall provide a status letter to this Court every 30 days.
5. When the director of USMCFP-Springfield determines that Mr. Hernandez-Vasquez has recovered to such an extent that he is able to understand the nature and consequences of the proceedings against him and to assist properly in his defense, the director shall promptly file a certificate to that effect with the Clerk of Court in accordance with 18 U.S.C. § 4241(e).
6. In any event, the director of USMCFP-Spring shall prepare a report within six months from the date of this order in accordance with 18 U.S.C. § 4247(e)(A). This report shall include an opinion as to whether Mr. Hernandez-Vasquez has attained the capacity to permit the proceedings to go forward, or whether there is a substantial probability

that Mr. Hernandez-Vasquez will attain such capacity in the foreseeable future.

7. The United States is authorized, without further leave of this Court, to petition for the continued involuntary medication of Mr. Hernandez-Vasquez at USMCFP-Springfield and other locations, in order to restore and maintain his competency at all pre-trial, trial, post-trial, and sentencing proceedings.
8. This Court finds that any delay occasioned by this Order serves the interests of justice and should be excluded from speedy trial calculations pursuant to 18 U.S.C. § 3161(h)(8).

BY THE COURT:

s/ Matthew W. Brann

Matthew W. Brann
United States District Judge